

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application; claim 20 is newly added.

The Examiner is respectfully requested to state whether the drawings are acceptable.

Claims are amended for non-statutory reasons: to correct one or more informalities, remove figure label numbers, and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in scope and no new matter is added.

The Office action rejects claims 1-19 under 35 U.S.C. 102(e) over Ho et al. (USPA 2003/0169769, hereinafter Ho). The applicants respectfully traverse this rejection.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Ho does not teach transmitting a plurality of MAC data frames with a single PLCP overhead, as specifically claimed in claim 1, and does not teach a frame structure that includes a plurality of MAC data frames with a single PLCP overhead, as specifically claimed in claim 11.

As is known in the art, and as used in Ho, a MAC data frame includes a header, a data field, and a frame check sequence (Ho [0038], lines 1-4). In the interest of advancing prosecution of this case, claims 1 and 11 are amended to include this accepted definition of a MAC data frame. Because this is the conventional definition of a MAC data frame, the applicants respectfully maintain that the scope of the claims is unchanged by this amendment.

The MAC data frame is also commonly termed a MAC protocol data unit (MPDU). Ho does not teach transmitting a plurality of MPDUs with a single PLCP overhead.

Ho specifically references MAC data frames, then specifically teaches the creation of a single MAC data frame (MPDU) comprising a plurality of data fields, or MAC service data units (MSDUs) (Ho, [0038]). That is, Ho teaches creating an aggregation frame (singular) that contains a plurality of data fields (MSDUs), and then transmitting that single MAC data frame (MPDU) in the conventional manner by preceding it with a single PLCP overhead at the physical layer:

"By inclusion of MSDUs or fragments in the subbody fields 132, MSDUs and fragments can be combined together into a **single frame** for transfer between peer MAC entities." (Ho, [0041, last sentence, emphasis added].)

Throughout Ho's disclosure, Ho uses the singular form of the term 'aggregation frame' to identify the (singular) MAC data frame (MPDU) that is transmitted, and expressly states that this aggregation frame is a conventional MAC data frame:

"As shown, aggregation frame 120 comports with conventional 802.11 frame protocol in that it contains a MAC header 116, a frame body 118 and a frame check sequence (FCS) 134. The FCS 134 enables error detection and is implemented in accordance with conventional 802.11 protocol. The MAC header 116 and frame body 118 include information pertinent to aggregating MSDUs or fragments thereof." (Ho, [0041], lines 2-9.)

Because Ho fails to teach transmitting a plurality of MAC data frames with a single PLCP overhead, as specifically claimed in claim 1, and does not teach a frame structure that includes a plurality of MAC data frames with a single PLCP overhead, as specifically claimed in claim 11, the applicants respectfully request the Examiner's reconsideration and subsequent withdrawal of the rejection of claims 1-19 under 35 U.S.C. 102(e) over Ho.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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